

DRAWING AMENDMENTS

Enclosed is the requested corrected Drawing Replacement Sheet 1/8 to replace the corresponding originally filed sheet. Drawing Replacement Sheet 1/8 indicates reference number 42. Reference numeral 40, shown in the Sheet, was inadvertently identified as 50 on page 7, line 14 of the Specification and that typographical error is being corrected in the following Specification Amendments Section.

REMARKS

By this Amendment changes have been made to the Drawings and Specification to correct informalities noted by the Examiner.

Claims 1, 3, 4, 5, 6, 8, 14-17, 19 and 23-25 are now in the case.

Applicant notes with appreciation the indication by the Examiner that Claims 13, 18, 19 and 20 are allowed over the prior art.

Claim 13 has been rewritten in independent form as Claim 23, Claim 23 incorporating the limitations of Claim 11 (now canceled).

Claims 14, 15, 16 and 17 depend from Claim 23.

Claim 18 has been rewritten as independent Claim 24, incorporating the limitations of Claim 11 and formerly intervening Claim 12. Claim 19 depends from Claim 24.

Claim 20 has been rewritten in independent form as Claim 25, incorporating the limitations of Claim 11 and formerly intervening Claim 12.

Claim 1 is an independent claim and the claim has been substantially amended to recite structural elements and cooperative relationships therebetween not taught or suggested

by the art of record, whether taken alone or in combination.

Claim 1 (currently amended) recites a bracket of integral construction particularly adapted for connecting a channel member of a certain type to a hanger rod and for stabilizing the channel member against movement when connected thereto. More particularly, the type of channel member with which the bracket is specifically adapted to be employed has two side channel member walls, a bottom channel member wall and inturned lips at tops of the side channel member walls defining an elongated opening communicating with the interior of the channel member.

The recited bracket includes a bracket base defining a bracket base opening for receiving the hanger rod and including a bracket base channel member engagement surface for engaging the channel member at a first location on the channel member.

A first connector portion extends away from the bracket base in a first direction and defines an aperture for connecting the first connector portion to a first stabilizing cable under tension.

A second connector portion extends away from the bracket base in a second direction and defines an aperture for interconnecting the second connector portion to a second

stabilizing cable under tension.

The claimed bracket also incorporates a first bearing element connected to the bracket base and including a first bearing element surface for bearing against either a lip or side wall of the channel member at a second location on the channel member.

The claim states that the first bearing element surface is angularly disposed relative to the bracket base surface and is for transferring force from the bracket to the channel member when bearing against the channel member to prevent relative rotational movement between the bracket and the channel member.

Claim 1 (currently amended) now also recites a second bearing element connected to the bracket base and spaced from the first bearing element, the second bearing element having a second bearing element surface for bearing against either a lip or side wall of the channel member at a third location on the channel member. The second bearing member surface is defined as being angularly disposed relative to the bracket base surface and for transferring a force from the bracket to the channel member when bearing against the channel member to further prevent relative rotational movement between the bracket and the

channel member. The claim also now recites that the structural element is a hanger rod and that the bracket base comprises a plate having a plurality of plate edges, the bracket base having a base opening for accommodating the hanger rod between the plate edges.

The patent to Awbrey relates to a concrete insert and not to a bracket of claimed specialized construction which provides for connecting a channel member to a hanger rod for stabilizing the channel member against movement when connected thereto. Nor is there any teaching whatsoever of structure as recited in Claim 1 (currently amended), including first and second bearing elements which cooperate with a lip or side wall of a channel member to prevent relative movement between the bracket and the channel member.

The Awbrey insert is adapted to be embedded in a concrete structure. There is no cooperation with either a hanger rod or a channel member. In Awbrey, there is no structure whatsoever which prevents rotational movement between the insert and a channel member much less the specific structural elements set forth in Claim 1 which are specifically adapted for cooperation with a specific type of channel member as well as with a hanger rod to stabilize the channel member

against movement and prevent relative movement between the bracket and the channel member.

The patent to Carne et al is also completely deficient from the standpoint of disclosing or even suggesting the structural combination and cooperative relationships now set forth in Claim 1 (currently amended). Here too, there is no suggestion of a bracket of the type set forth with specificity in Claim 1. Nor is there any hint or suggestion that the device of Carne et al is remotely suitable for connecting a channel to a hanger rod for stabilizing the channel member against movement and for cooperating with the channel member through engagement with first and second bearing elements to transfer force from the bracket to the channel member to prevent relative rotational movement between the bracket and the channel member.

Carne et al shows a bracket, but it is a bracket constructed completely different than that set forth in Claim 1 and which is for the specific purpose as a tie bracket for linking adjacent end studs of two or more stud wall subframes extending at an angle to each other.

The elements 14' identified as slots in the bracket base are actually openings formed by edges of the base and elements 20a. Such an arrangement is wholly unsuitable for

accommodating a hanger rod which in turn supports a channel member and is cooperable therewith to prevent relative movement between the hanger rod and channel member as well as stabilize the channel member against movement.

Claim 3 depends from Claim 1 and thus incorporates by reference the structure set forth in the parent claim. Claim 3 states that the bracket base opening comprises a slot open at one of the edges and extending inwardly therefrom, the slot enabling the bracket to be slid in place on the hanger rod from a side of the hanger rod. There is no suggestion of this structure in either Awbrey or Carne et al. The slot 21 of the Awbrey insert is completely surrounded by the body member of the insert box and a bolt must be inserted endwise into and through the plate before embedment in the concrete.

Claim 4 depends from Claim 1 and thus incorporates by reference all of the structural elements and cooperative relationships set forth in that parent claim. Claim 4 recites that the bracket base comprises a double-sided plate, one of the sides of the plate comprising the bracket base channel member engagement surface for bearing against the channel member and the other side of the plate comprising a washer engagement surface engageable by a washer disposed above the plate. There

is no teaching or suggestion whatsoever in the prior art of record of such feature in conjunction with the novel combination set forth in Claim 1.

Claim 5 recites that the first and second connector portions comprise connector plates integrally attached directly to oppose side edges of the bracket base and extending outwardly therefrom. There is no teaching in the prior art of this feature when incorporated as part of the novel overall combination now set forth in Claim 1.

Claim 6 depends from Claim 1 and recites that the first and second connector portions comprise connector plates respectively integrally attached directly to the first and second bearing elements and extending outwardly therefrom. There is no teaching or suggestion in the prior art of this feature when incorporated in the novel overall combination as set forth in parent Claim 1.

Claim 8 depends from Claim 1 and recites that the bracket base surface is sized and configured to contact the channel member inturned lips and the first and second bearing elements are sized and configured to simultaneously engage the two side channel member walls. There is no teaching or suggestion of this feature in the prior art when incorporated as

part of the novel overall combination set forth in Claim 1.

It is submitted that all claims now in the application clearly patentably define over the art of record. Passage of this case to allowance is believed to be in order and such action is earnestly solicited.

Respectfully submitted,

By: 

Thomas R. Lampe, Reg. No. 22,454
BIELEN, LAMPE & THOEMING
1390 Willow Pass Road, Suite 1020
Concord, CA 94520
(925) 288-9720